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APR - 5 2012

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April 4, 2012

FCC Appeal of USAC Decision

CC Docket No. 02-6

Appellant: Winn Parish School District (BEN 139353)

Contact Person Name: Robert Morrow

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We are appealing USAC's February 6, 2012 denial of our appeal of the following FRN:

Winn Parish School District

BEN: 139353

Form 471: 784168 FRN: 2190866

I have attached our original appeal (Exhibit 1) and USAC's letter of denial (Exhibit 2).

This FRN is for distance learning circuits. They go to five different schools, serving one room at each school. In review, the original FRN was modified by taking out the cost of the CODEC from each circuit and treating it as Internal Connections. USAC took the same view in appeal, feeling that the CODEC did not meet the requirements for Priority 1 On-Premise Equipment, citing the diagram we had provided.

Since the diagram was cited, both the service provider and I feel that a more detailed view of the demarcation (Exhibit 3) might provide weight for the argument that the CODEC does meet Priority 1 On-Premise Equipment guidelines.

The criteria developed for Priority 1 On-Premise Equipment appear to have been developed for voice and data situations where a service provider's service connects with a school-owned network of some kind. Distance Learning circuits, on the other hand, normally only connect to a single room in a building, where the "network" is the interconnected camera, microphone and viewing screen in that room.



It is understood there should normally be a single point of demark in order for equipment to be eligible under Priority I. The codec functionality is required in order to Compress/Decompress the video signal in order to deliver the signal to the customer in the same way a T1 CSU/DSU is required for the service provider to deliver data to and from a customer demark point. In the case of distance learning circuits, the customer single point of demark is the output bus of the codec unit in the same manner as the RJ interface of a T1 CSU/DSU.

Based on the additional information provided, we ask that the CODEC be included in the service provider's eligible Priority One On-Premise equipment and that our original request for funding be granted.

Sincerely,

Enclosures

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Winn Parish School District BEM: 139353 Fam TV 11384168

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This FRM is for distance learning circuits. They go to five different schools, serving one room at each school. Each circuit terminates with a codec, into which a camera, microphone and video display equipment can be plugged. This single circuit at each school cannot be used for anything other than distance learning and is totally separate from the schools? WAN circuit. In the funding letter for this FRM, the equipment that is part of the distance learning circuits was deemed to be laterated from the funding request.

Attiough it was not stated in the funding letter, the reviewer provided me with the following information: "The diagram provided does not support the answers to the Tennessee questions Toperable." I have included the diagram referenced.

For question V, there is no video network, since there is only one room receiving service at each building. In that room is a wall-mounted codec unit into which the equipment can be plugged. Removing the circuit would cut off the room from the outside world, but the eamers, microphone, and video display would continue to operate. If the school desired, the display, microphone and camera could be connected to each other and could be used for role-play, microphone and camera could be could be used for role-play, and the display would connected the display.

As an analogy, imagine bringing a WAN circuit to a location where there is only one computer. The computer plugs into the WAN termination. If you remove the WAN service, will the computer continue to work? Sure, Will the network continue to work? No, because there wasn't any network to begin with.

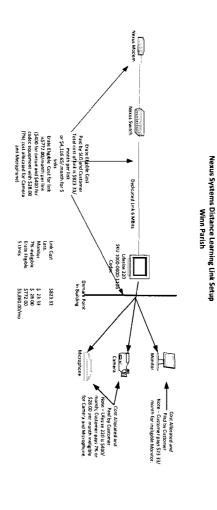
As far as question 8 is concerned, the codec and other equipment could theoretically be used to serve other customers as much as the router that terminates a WAN at the school.

This service is new to me personally and I can only believe that a misunderstanding led to the denial of the equipment as qualified Priority I On Premise Equipment. I am aware that other companies like ENA provide distance learning service, and I am certain that in most instances it is a single circuit going to a single room at each location. I ask that the Priority I On-Premise equipment in these circuits be accepted as such and the missing funding restored.

Sincerely,

Enclosure

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EXMIBIT Z



Universal Service Administrative Company Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2011-2012

February 06, 2012

Robert Morrow Morrow and Morrow, Inc. 188 Clear Creek Valley Drive Ellijay, CA 30536

Re: Applicant Name:

WINN PARISH SCHOOL DISTRICT

Billed Entity Number:

139353 784168

Form 471 Application Number:

2190866, 2241786

Funding Request Number(s): Your Correspondence Dated:

January 04, 2012

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s):

2190866, 2241786

Decision on Appeal:

Denied

Explanation:

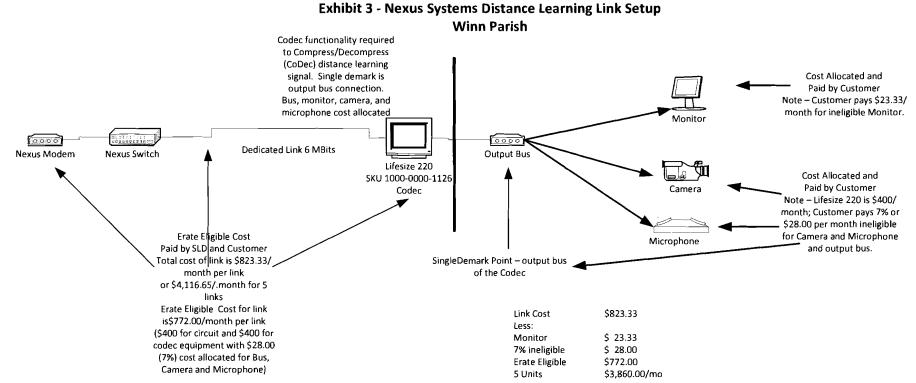
The record shows that Funding Request Number 2190866 contained products and services for more than one of four service categories. The FRN was split and the amount of funds requested reduced in order to conduct an independent review of the LifeSize Room 220 CODEC under the Internal Connections Category. This decision was based on the diagram that was submitted during the PIA review. The new FRN 2241786 was not supported by a valid Form 470. Funding Year 2011 Form 470 (Application Number: 476520000868985) did not post for Internal Connections, which is a violation of the 28-day competitive bidding requirements of this support mechanism. On appeal, you have failed to provide any evidence that USAC erred in its initial determination. Consequently, your appeal is denied.

FCC rules require that all products and services for which an applicant requests discounts on an FCC Form 471 must be competitively bid on an FCC Form 470, The FCC Form 470 must include a complete description of the services for which discounts are sought, be posted on the website for 28 days, and applicants must carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting an FCC Form 471. See 47 C.F.R. secs. 54.503(b) and (c), 54.511(a) and (c). These competitive bidding requirements help to ensure that applicants receive the lowest prediscouni price from vendors. See Federal-State Joint Board on Universal Service, Ct. Docket No. 96-45, Order on Reconsideration, 12 FCC Red 10095, 10098, FCC 97-246 para, 9 (rel. Jul. 10, 1997). The only exceptions to the posting requirement are for: (1) contracts signed on or before July 10, 1997 for the life of the contract; and (2) contracts signed between July 10, 1997 and before January 30, 1998 (the date on which the website became operational) for products and/or services provided under such contract between January 1, 1998 and December 31, 1998, See 47 C.F.R. secs. 54.511(c).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the ECC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the ECC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the ECC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: ECC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the ECC can be found in the "Appeals Procedure" posted in the Reference Area of the SED section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Service Provider School District

Winn Parish School Board

Stebe Bartlett, Superintendent

POST OFFICE DRAWER 430 304 EAST COURT STREET WINNFIELD, LOUISIANA 71483-0430 PHONE: (318) 628-6936 FAX: (318) 628-2582 http://www.winnpsb.org

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Letter of Agency

Robert Morrow and Georgia Morrow of Morrow and Morrow, Inc. have authority to represent Winn Parish School District in all matters concerning E-rate filings before the Schools and Libraries Division for Funding Years 12, 13 and 14. This will include, but is not limited to, filings, reviews, Selective Reviews, audits and appeals.

They are also granted authority to obtain information from Winn Parish School District's service providers and to represent the district to these service providers in all E-rate matters. The information they may obtain will be limited to account and billing information pertinent to E-rate funding.

Jan Anyan

Chief Technology Officer
Winn Parish School District

11/17/2010